

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SPIRE STL PIPELINE LLC,)	
)	
Plaintiff,)	
)	Consolidated action
v.)	No. 4:18 CV 1327 SRC / DDN
)	
3.31 ACRES OF LAND, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM AND ORDER
REGARDING MOTIONS IN LIMINE

For the reasons set forth on the record of the hearing held on March 5, 2021,

IT IS HEREBY ORDERED that the motion of plaintiff in limine (Doc. 450) is **sustained in part and denied in part as follows:**

- (1) No party may offer evidence of plaintiff's offers of settlement to other landowners and related communications.
- (2) No party may offer evidence of the cost to Spire of the construction of the pipeline.
- (3) No party may offer evidence of documents submitted to FERC by Central Land Consulting LLC, except in rebuttal of other evidence.
- (4) Photographs and testimony by Nathan Laps regarding damage may be offered as fact evidence but not as opinion evidence.
- (5) Evidence of "cost to cure" damages may be offered, except the testimony of William Ontiveros and the Sharple Report.
- (6) No party may offer evidence of 2019 crop loss due to being submerged in flood water.
- (7) No party may offer evidence of any future crop loss.

For the reasons set forth on the record in the hearing held on December 29, 2020,

IT IS FURTHER ORDERED that the motion of plaintiff in limine (Doc. 472) is **sustained.**

IT IS FURTHER ORDERED that the supplemental motion of plaintiff in limine to object to defendants offering evidence of topsoil loss (Doc. 482) **is denied.**

IT IS FURTHER ORDERED that the motion of plaintiff in limine (Doc. 507) **is sustained, except it is denied as to evidence of defendants' cost to restore damages and defendants' 2019 crop loss damages not caused by being submerged in flood waters.**

For the reasons discussed in the hearing held on March 5, 2021,

IT IS FURTHER ORDERED that the motions in limine of defendants (Docs. 476 and 503) (regarding ongoing restoration obligations of Spire contained in the FERC Certificate and regarding Corey Sell's appraisal report) **are denied.**

/s/ David D. Noce

UNITED STATES MAGISTRATE JUDGE

Signed on March 5, 2021.